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Attorney for Defendant  
Michael Chen

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL CHEN,

Defendant.

No. CR 09-0149 MMC

**APPLICATION TO REMOVE EXHIBITS  
62-1, 62-2 AND 62-3 FROM DOCKET NO.  
62 )and ~~PROPOSED~~ ORDER**

**APPLICATION**

Defendant Michael Chen respectfully requests that this Court enter an Order requiring the Clerk of the Court to remove Exhibits 62-1, 62-2, and 62-3 which were submitted with a Notice of Intent To Use Expert Testimony Regarding Compilation of Draft Returns filed by Attorney Robert Cummings at the time he was representing Mr. Chen herein. A review of the aforementioned Exhibits reveals that they contain certain information which should have been redacted pursuant to Fed. R. Crim. Pro. 49.1. It appears this error was inadvertent and accidental.

Dated:

Respectfully submitted,

/s/

Alan A. Dressler  
Attorney for Defendant  
Michael Chen

~~proposed~~ ORDER

Based upon the Application by defendant MICHAEL CHEN to Remove Exhibits 62-1, 62-2 and 62-3 to the Notice of Intent To Use Expert Testimony Regarding Compilation of Draft Returns (Docket 61) filed by Attorney Robert Cummings, IT IS HEREBY ORDERED that the Clerk of Court remove these Exhibits. Defendant Michael Chen is hereby DIRECTED to refile the documents with appropriate redactions no later than September 2, 2011.

**SO ORDERED:**

DATED: August 30, 2011

  
MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE